

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALFRED THOMPSON,
Plaintiff,

CIVIL ACTION

v.

CITY OF PHILADELPHIA,
JOHN P. DELANEY, Warden,
CORIZON HEALTH, INC., doing business
as “CORIZON,”
JOHN DOE MEDICAL PROVIDERS 1&2,
JANE DOE MEDICAL PROVIDERS 1&2,
Defendants.

NO. 20-3134

ORDER

AND NOW, this 26th day of May, 2021, upon consideration of defendants City of Philadelphia and Warden John P. Delaney’s Motion to Dismiss Plaintiff’s First Amended Complaint for Failure to State a Claim (Document No. 8, filed September 21, 2020) and plaintiff Alfred Thompson’s Response to Defendants’ Motion to Dismiss the First Amended Complaint (Document No. 9, filed October 5, 2020), for the reasons stated in the accompanying Memorandum dated May 26, 2021, **IT IS ORDERED** that defendants City of Philadelphia and Warden John P. Delaney’s Motion to Dismiss Plaintiff’s First Amended Complaint for Failure to State a Claim is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. That part of defendants’ motion which seeks dismissal of plaintiff’s claim of willful misconduct against the City of Philadelphia is **GRANTED**; and
2. The motion is **DENIED** in all other respects.

IT IS FURTHER ORDERED that a preliminary pretrial conference will be scheduled in due course.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.